



**County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

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May 29, 2018

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

20 May 29, 2018

Dear Supervisors:

CELIA ZAVALA
ACTING EXECUTIVE OFFICER

**REQUEST TO APPROVE THE EXTENSION OF
TRANSITIONAL HOUSING PROGRAM – PLUS CONTRACTS
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

The Department of Children and Family Services (DCFS) and the Probation Department (Probation) request approval of the extension of 15 current Transitional Housing Program – Plus (THP-Plus) contracts, effective June 15, 2018 through June 30, 2019, at a total cost of \$2,255,319 to allow for sufficient time to complete a Request for Proposals (RFP) solicitation for new contracts.

IT IS RECOMMENDED THAT THE BOARD:

Delegate authority to the Director of DCFS, or designee, and the Chief Probation Officer (CPO), or designee, to execute an amendment, in substantially similar form to Attachment A, for each of the 15 current THP-Plus contracts, to extend the contracts, effective June 15, 2018 through June 30, 2019, at a total cost of \$2,255,319, financed using 100 percent State realignment funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The current THP-Plus contracts that expire on June 14, 2018 were executed by the Director of DCFS and the CPO, using Board delegated authority, as adopted by the Board on November 18, 2014. There are no more available renewal options. DCFS is currently conducting an RFP solicitation for new contracts. The recommended action will prevent any lapse in services while the solicitation is being completed.

The recommended action will also enable the County to continue an existing program designed to

assist emancipated youth, with or without children, as they move from dependency to self-sufficiency by providing housing and supportive services. These services are for emancipated Foster/Probation youth from the ages of 18 through the day before their 25th birthday. County does not have the capacity to provide these services. Therefore, County must rely on available community resources for THP-Plus housing to ensure the safety and quality of care required for these emancipated youth.

Without approval of the recommended action, many County emancipated foster youth, with or without children, will not make a successful transition to adulthood. For emancipated youth with children, THP-Plus will assist in keeping their families together, thereby ensuring their children do not enter the foster care system.

Implementation of Strategic Plan Goals

The recommended action is consistent with the principles of Strategic Plan Goal I – Make Investments that Transform Lives, Strategy I.2 – Enhance our Delivery of Comprehensive Interventions, I.2.1 – Provide Subsidized Housing for Vulnerable Populations, I.2.4 – Support Job Readiness and Increase Employment Opportunities for Youth Served by the County, and I.2.9 – Support the Long Term Success of Transition Aged Youth.

FISCAL IMPACT/FINANCING

The total cost for extending the THP-Plus contracts from June 15, 2018 through June 30, 2019, is \$2,255,319. Funds are disbursed on a per-client basis with limitations set on the number of clients, rather than establishment of an annual maximum contract amount for each contractor. The fixed cost/rate for each THP-Plus participant is \$2,200 a month, or pro-rated if placement is less than a month. The contract cost will be funded by 100 percent State realignment funds. There will be no impact on net County cost. Sufficient funding is included in the DCFS Fiscal Year 2018-19 Budget Request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The THP-Plus Program was created pursuant to AB 427 (Chapter 125, Statutes of 2001), as modified by AB 1119. THP-Plus is a transitional housing placement option for emancipated foster youth, including those formerly supervised by Probation, ages 18 to 23, who exited foster care at or after age 18.

In 2014, the California Legislature passed Senate Bill (SB) 1252 (Chapter 774) which amends Welfare and Institutions Code Section 11403.2 to allow each county, at its option, to extend THP-Plus services to former foster youth up to, but not including, age 25 and for up to 36 cumulative months. In order for an individual to receive THP-Plus services beyond 24 months or past his/her 24th birthday, he/she must either be completing secondary education, an equivalent program, or be enrolled in an institution that provides post-secondary education.

The Department evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to these contracts. These services cannot be effectively performed by County employees because they require the development and utilization of resources that are not available in the County system.

County Counsel has reviewed this Board letter and has approved it as to form.

CONTRACTING PROCESS

DCFS released a Request for Proposals (RFP) for THP-Plus services on May 24, 2013. As a result of this solicitation, 16 contracts with seven (7) agencies were executed using Board-delegated authority, as adopted by the Board on November 18, 2014, effective December 15, 2014 through December 14, 2015. All of the THP-Plus contracts' renewal options have been exercised. The last renewal option was for the contract term, effective December 15, 2017 through June 14, 2018.

One of the contracts was not renewed when it expired on December 14, 2016. The contract's maximum capacity was transferred to another contract of the same contractor. This action was presented to the Board in a letter, adopted by the Board on March 21, 2017.

DCFS released a new Request for Proposals (RFP) for THP-Plus services on March 1, 2018. The RFP invited qualified agencies to submit proposals to provide the service in each of the eight DCFS Service Planning Areas (SPAs) across the County. The RFP anticipated at least one (1) contract would be awarded per SPA, with a second contract per SPA awarded according to the service needs in that SPA, on the location of the housing units offered by the highest ranked proposer, and on the County's interest in securing uninterrupted services in each SPA. The RFP also stated that if the County's service needs in any SPA would not be met by the proposals submitted for that SPA, then the County may, at its sole discretion, offer one or two contracts for that SPA to qualified Proposers who submitted a proposal to serve a different SPA. Alternately, the County reserves the right to expand services in an adjacent SPA to meet the unmet service needs of a SPA.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the execution of the 15 THP-Plus contracts will ensure uninterrupted THP-Plus services to eligible foster and emancipated Foster/Probation youth, and will help maintain the County's ability to provide a safe and protective environment to children and youth while assisting them in achieving self-sufficiency.

The contracts will not infringe upon the role of the County in relationship to its residents, and the County's ability to respond to emergencies will not be impaired. There is no change in risk exposure to the County.

CONCLUSION

Upon approval by the Board of Supervisors, it is requested that the Executive Officer/Clerk of the Board send an adopted stamped copy of the Board letter and attachments to:

1. Department of Children and Family Services
Contracts Administration Division
Attn: Leticia Torres-Ibarra, Manager
425 Shatto Place, Room 400
Los Angeles, California 90020

2. Probation Department
Contracts & Grants Management Division
Attn: Latasha Howard
9150 E. Imperial Highway
Downey, California 90242

Respectfully submitted,



BOBBY D. CAGLE
Director



TERRI L. McDONALD
Chief Probation Officer

BDC:BTNCMM:KR

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Chief Probation Officer



AMENDMENT NUMBER TWO

**TRANSITIONAL HOUSING PROGRAM-PLUS (THP-PLUS)
SPA _____**

CONTRACT NUMBER _____

WITH

**AMENDMENT NUMBER TWO
TRANSITIONAL HOUSING PROGRAM-PLUS (THP-PLUS)
CONTRACT NUMBER _____**

This Amendment Number Two (hereinafter referred to as "Amendment") to the Transitional Housing Program-Plus (THP-Plus) Contract Number _____, (hereinafter referred to as "Contract") is made and entered into at Los Angeles, California this _____ day of _____, 2018, by and between the County of Los Angeles (hereinafter referred to as "COUNTY") and _____ (hereinafter referred to as "CONTRACTOR").

WHEREAS, COUNTY and CONTRACTOR are parties to this Contract, and CONTRACTOR has been providing THP-Plus Services to the County; and

WHEREAS, a purpose of this Amendment is to extend the Contract by 12½ months and to add new provisions to the Contract required by COUNTY; and

WHEREAS, this amendment is prepared and executed by COUNTY and CONTRACTOR as set forth in the Contract, Part II: STANDARD TERMS AND CONDITIONS, SECTION 7.0, CHANGES AND AMENDMENTS;

NOW THEREFORE, COUNTY and CONTRACTOR mutually agree to the following changes to the Contract:

1. Table of Contents, Part II: Standard Terms and Conditions is amended to add:

60.0 COMPLIANCE WITH COUNTY'S ZERO TOLERANCE POLICY ON HUMAN
TRAFFICKING
61.0 DATA ENCRYPTION

2. Table of Contents, Exhibit D: Attachments is amended to add:

Attachment N Zero Tolerance Policy on Human Trafficking Certification
Attachment O Contractor's Compliance with Encryption Requirements

3. Part I: Unique Terms and Conditions, Section 3.0, Term is amended to add Subsection 3.6, which reads as follows:

3.6 The term of this contract is extended effective June 15, 2018, through June 30, 2019.

4. Part II: Standard Terms and Conditions, Section 16.0, Consideration of Greater Avenues for Independence (GAIN) or General Relief Opportunities for Work (GROW) Participants for Employment, Subsection 16.1 is amended to read as follows:

16.1 Should the contractor require additional or replacement personnel after the effective date of this Contract, the contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet the contractor's minimum qualifications for the open position. For this purpose, consideration shall mean that the contractor will interview qualified candidates. The County will refer GAIN/GROW participants by job category to the contractor. Contractors shall report all job openings with job requirements to: GAINGROW@DPSS.LACOUNTY.GOV and BSERVICES@WDACS.LACOUNTY.GOV and DPSS will refer qualified GAIN/GROW job candidates.

5. Part II: Standard Terms and Conditions, Section 60.0, Compliance With County's Zero Tolerance Policy On Human Trafficking is added and reads as follows:

60.0 COMPLIANCE WITH COUNTY'S ZERO TOLERANCE POLICY ON HUMAN TRAFFICKING

60.1 Contractor acknowledges (Attachment N) that the County has established a Zero Tolerance Policy on Human Trafficking prohibiting contractors from engaging in human trafficking.

60.2 If a Contractor or member of Contractor's staff is convicted of a human trafficking offense, the County shall require that the Contractor or member of Contractor's staff be removed immediately from performing services under the Contract. County will not be under any obligation to disclose confidential information regarding the offenses other than those required by law.

60.3 Disqualification of any member of Contractor's staff pursuant to this paragraph shall not relieve Contractor of its obligation to complete all work in accordance with the terms and conditions of this Contract.

6. Part II: Standard Terms and Conditions, Section 61.0, Data Encryption is added and reads as follows:

61.0 DATA ENCRYPTION

Contractor and subcontractors that electronically transmit or store personal information (PI), protected health information (PHI) and/or medical information (MI) shall comply with the encryption standards set forth below. PI is defined in California Civil Code Section 1798.29(g). PHI is defined in Health Insurance Portability and Accountability Act of 1996 (HIPAA), and implementing regulations. MI is defined in California Civil Code Section 56.05(j).

61.1 Stored Data

Contractors' and Subcontractors' workstations and portable devices (e.g., mobile, wearables, tablets, thumb drives, external hard drives) require encryption (i.e. software and/or hardware) in accordance with: (a) Federal Information Processing Standard Publication (FIPS) 140-2; (b) National Institute of Standards and Technology (NIST) Special Publication 800-57 Recommendation for Key Management – Part 1: General (Revision 3); (c) NIST Special Publication 800-57 Recommendation for Key Management – Part 2: Best Practices for Key Management Organization; and (d) NIST Special Publication 800-111 Guide to Storage Encryption Technologies for End User Devices. Advanced Encryption Standard (AES) with cipher strength of 256-bit is minimally required.

61.2 Transmitted Data

All transmitted (e.g. network) County PI, PHI and/or MI require encryption in accordance with: (a) NIST Special Publication 800-52 Guidelines for the Selection and Use of Transport Layer Security Implementations; and (b) NIST Special Publication 800-57 Recommendation for Key Management – Part 3: Application-Specific Key Management Guidance. Secure Sockets Layer (SSL) is minimally required with minimum cipher strength of 128-bit.

61.3 Certification

The County must receive within ten (10) business days of its request, a certification from Contractor (Attachment O) (for itself and any subcontractors) that certifies and validates compliance with the encryption standards set forth above. In addition, Contractor shall maintain a copy of any validation/attestation reports that its data encryption product(s) generate and such reports shall be subject to audit in accordance with the Contract. Failure on the part of the Contractor to comply with any of the provisions of this Section 61.0 (Data Encryption) shall constitute a material breach of this Contract upon which the County may terminate or suspend this Contract.

7. Exhibit B-2: Line Item Budget and Narrative is replaced with the Line Item Budget and Narrative in Attachment I for the new contract term in Subsection 3.6.
8. Zero Tolerance Policy on Human Trafficking Certification is attached, and added to Exhibit D: Attachments as Attachment N.

9. Contractor's Compliance with Encryption Requirements is attached, and added to Exhibit D: Attachments as Attachment O.

ALL OTHER TERMS AND CONDITIONS OF THE CONTRACT REMAIN IN FULL FORCE AND EFFECT.

**AMENDMENT NUMBER TWO
TRANSITIONAL HOUSING PROGRAM-PLUS (THP-PLUS)
CONTRACT NUMBER _____**

IN WITNESS WHEREOF, the Board of Supervisors of the COUNTY of Los Angeles has caused this Amendment Number Two to be subscribed on its behalf by the Director of the Department of Children and Family Services and the Chief Probation Officer of the Probation Department, and the CONTRACTOR has caused this Amendment Number Two to be subscribed on its behalf by its duly authorized officer(s) as of the day, month and year first above written. The person(s) signing on behalf of the CONTRACTOR warrant(s) under penalty of perjury that he or she is authorized to bind the CONTRACTOR in or to this Contract.

COUNTY OF LOS ANGELES

CONTRACTOR

By: _____
Bobby D. Cagle, Director
Department of Children and Family
Services

By: _____

Name: _____

Title: _____

By: _____
Terri L. McDonald
Chief Probation Officer
Probation Department

By: _____

Name: _____

Title: _____

Tax Identification Number

APPROVED AS TO FORM
BY THE OFFICE OF THE COUNTY COUNSEL
Mary C. Wickham, County Counsel

By: _____
David Beaudet, Senior Deputy County Counsel

**PLACEHOLDER FOR AGENCY'S
NEW LINE ITEM BUDGET AND NARRATIVE**

**ZERO TOLERANCE POLICY ON HUMAN TRAFFICKING
CERTIFICATION**

Company Name:		
Company Address:		
City:	State:	Zip Code:
Telephone Number:	Email address:	
Solicitation/Contract for Transitional Housing Program Plus Services		

CONTRACTOR CERTIFICATION

Los Angeles County has taken significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking that prohibits contractors found to have engaged in human trafficking from receiving contract awards or performing services under a County contract.

Contractor acknowledges and certifies compliance with Section 60.0 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of the proposed Contract and agrees that contractor or a member of his staff performing work under the proposed Contract will be in compliance. Contractor further acknowledges that noncompliance with the County's Zero Tolerance Policy on Human Trafficking may result in cancellation of any resultant Contract, at the sole judgment of the County.

I declare under penalty of perjury under the laws of the State of California that the information herein is true and correct and that I am authorized to represent this company.

Print Name:	Title:
Signature:	Date:

CONTRACTOR’S COMPLIANCE WITH ENCRYPTION REQUIREMENTS

Contractor shall provide information about its encryption practices by completing this Attachment. By submitting this Attachment, Contractor certifies that it will be in compliance with Los Angeles County Board of Supervisors Policy No. 5.200, Contractor Protection of Electronic County Information, at the commencement of any contract and during the term of any contract that may be awarded pursuant to this solicitation.

COMPLIANCE QUESTIONS	DOCUMENTATION AVAILABLE			
	YES	NO	YES	NO
1) Will County data stored on your workstation(s) be encrypted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Will County data stored on your laptop(s) be encrypted:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Will County data stored on removable media be encrypted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Will County data be encrypted when transmitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Will Contractor maintain a copy of any validation/attestation Reports generated by its encryption tools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Will County data be stored on remote servers*? * cloud storage, Software-as-a-Service or SaaS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Contractor’s Name

Contractor’s Official Title

Official’s Signature